In the High Court of Judicature at Madras

Date : 05.04.2007
Coram :

The Hon'ble Mr. Justice P. SATHASIVAM
and
The Hon'ble Mr. Justice S. TAMILVANAN

Writ Appeal No: 1620 of 2002
.....

1.The Joint Commissioner,
Civil Supplies Department,
Chepauk, Chennai.5.

2.The Assistant Collector,
Padmanabhapuram,
Kanyakumari District. ... Appellants

-vs-

Loordu ... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent Appeal against the order dated 28.10.1999 passed in W.P.No. 16360 of 1992. Petition presented to this Court under Article 226 constitution of India to issue a writ of Mandamus call for the entries records relating to the impugned order passed by the first respondent dismissing the revision petition in proceedings B3/27528/92 dated 8.10.92 quasi the name by issuance of a writ of Certiorarified Mandamus order or direction particulary in the nature of writ consequently for bear the respondents from implement the impugned order passed by the second respondent in his proceedings A2/1716/92 dated 8.4.1992.

For petitioner : Mr. P. Subramanian

For respondents : No Appearance

.. .. ..

WEB COPY

O R D E R

(Judgment of the Court was delivered by
P. SATHASIVAM,J.,)

The above writ appeal is directed against the order of the learned single Judge dated 28.10. 1999 made in W.P.No. 16360

https://hcservices.ecourts.gov.in/hcservices/

of 1992 in and by which, after finding that the punishment imposed on the writ petitioner is excessive , allowed the writ petition.

2. Heard the learned Government Advocate appearing for the appellants. The respondent/ writ petitioner, though duly served notice from this Court in this appeal, has not chosen to contest the same by engaging a counsel.

3. We verified the charges levelled against the respondent herein, his explanation, order of the original authority and the Divisional authority as well as the order of the learned single Judge setting aside those orders. Though we are not in entire agreement with the reasoning of the learned single Judge, inasmuch as the alleged incident took place as early as on 19.2.1992 in the absence of any information about the position of the respondent viz., whether he is continuing the same business or not, we are not inclined to interfere with the order of the learned single Judge at this juncture nearly after 15 years. On this ground, we dismiss the writ appeal. No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

ra

To

1. The Joint Commissioner,
Civil Supplies Department,
Chepauk, Chennai.5.

2. The Assistant Collector,
Padmanabhapuram,
Kanyakumari District.

+1cc to Mr.C.Prakasam, Advocate Sr 22337
+1cc to Govt. Pleader Sr 22095

AKR (CO)
km/13.4.

W.A.No. 1620 of 2002

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/